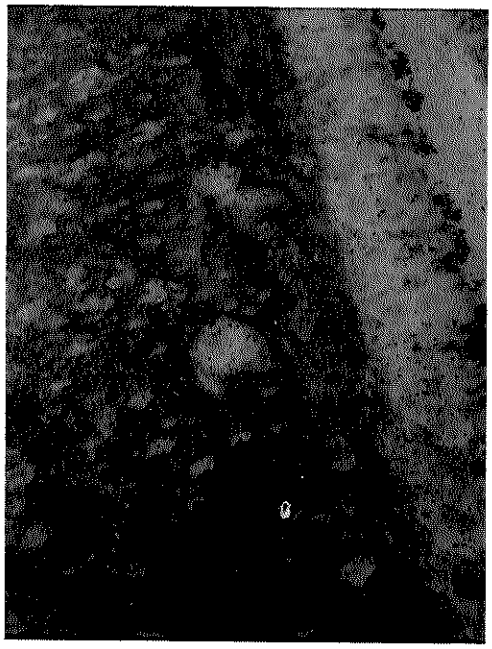
Penn National

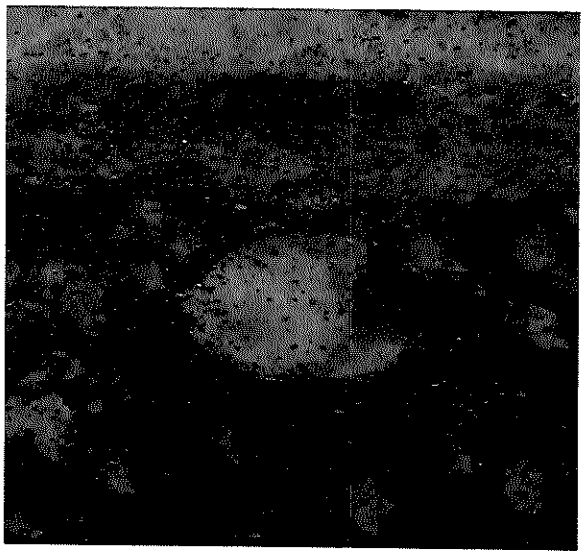
Racetrack Surface

Pictorial Presentation

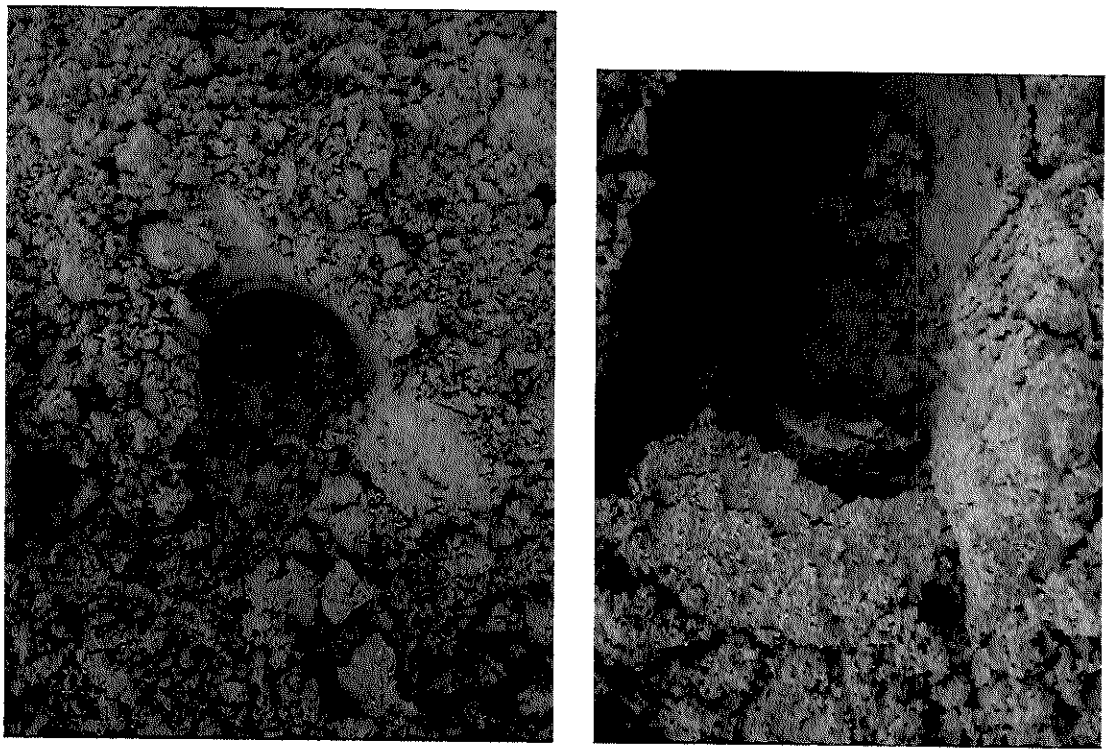
6-17-09 PA State Horse Racing Commission Meeting

This pictorial was produced in an effort to improve your understanding of the race track surface issues we have experienced at Penn National over the past year. The visuals throughout the report clearly depict a race track that has been improperly maintained. This improper maintenance has cost horsemen millions of dollars and has cost countless equine athletes their well-being and unfortunately in some cases their lives. We are hopeful this educational tool will lead to a satisfactory solution to multiple problems.





These photos of the track base were taken during the resurfacing project after removal of the cushion. In Mr. Luderitz's June 10th letter to Commissioner Hamm he continues to proclaim the track was in "sound" condition prior to the resurfacing project and that the sharp increase in the catastrophic breakdown rate was due to overworked horses and training methods. The PA HBPA became alarmed by not only the increased breakdowns, but after close inspection of the racing surface, the condition of the race track in those areas where the breakdowns occurred. It was the combination of these two elements as well as the maladies and injuries that became prevalent in our horses that prompted the PA HBPA to insist on refurbishment of the race track. These pictures clearly show full foot prints and an abundant number of toe prints. On a quality surface, horses should never touch the stone dust base. The track cushion, as reported by the consultant hired by Penn National, Glen Kozak, was clearly deficient and unable to protect horses from reaching the limestone base prior to the resurfacing project. The reasons for the track's inability to keep horses off the base were clearly stated in Mr. Kozak's report to the PA SHRC.



The above photos were taken 10/29/08, the first day of training after the completion of renovation project. The photo on the left, taken on a beautiful day with no rainfall the previous 4 days, clearly shows horses were easily able to penetrate the racing surface and run down to the limestone base. The photo on the right shows a footprint penetrating the racing cushion to the clay sub-base. After a six week shutdown at great expense to horsemen and operator, the results indicated by the photos above are unacceptable.

The reemergence of these problems as well as the track's inability to handle moisture after the track resurfacing project led to the PA HBPA contacting Jamie Richardson. After numerous discussions with Mr. Richardson and substantial credibility investigations, the PA HBPA became convinced Mr. Richardson had the knowledge and skills to help solve our track issues. The PA HBPA made the recommendation to the PA SHRC to ask Penn National to engage Mr. Richardson as a consultant. Mr. Richardson was hired and made a number of suggestions during his three day tenure. The most important of which was to add 2,000 tons of quality washed mason sand. Slightly more than 500 tons were added over the period of one week and our race track improved dramatically in both its ability to handle water and its kindness to horses. Additional sand was added to bring the total application to slightly over 1,000 tons. During the 5-6 weeks following this application, the racing surface was the best surface trainers experienced in a number of years. The track was kind to horses and was able to handle moisture by retaining texture and drying in a timely manner.

As we reached the latter part of December and moved into January we began to see signs that the track was returning to its previous characteristics of being unable to handle moisture and extremely slow drying. Concussion related issues with horses became more frequent. The photos below show the problems that occur when a winter race surface is subjected to moisture and unable maintain texture and dry in a sufficient manner. A surface freezing and melting cycle is initiated creating extensive prolonged problems. The pictures were taken the morning of December 26th.

The PA HBPA immediately engaged in discussion with the track superintendent asking him to apply additional washed mason sand to give the track stability, texture and enhance drying. The immediate improvement experienced with identical problems in the fall was the basis for the opinion. The HBPA was told washed mason sand would not help and in fact if too much was applied we would lose total control of the race track. The opinion of the track superintendent was that the track condition was simply a product of bad winter weather.

The Pa HBPA continued to have discussions with Jamie Richardson asking for his opinion and guidance. After a trip to examine our track situation in early January, Jamie advised the addition of at least 1,500 tons of washed mason sand. He informed the HBPA the fine nature of the washed mason sand makes it very susceptible to washing out of the racing surface and that we had lost a substantial amount of our earlier application. The HBPA used this newly learned information in an attempt to once again suggest the addition of washed mason sand and once again it was refuted.

The period from January through March was extremely dry with a total of only 5.0 inches of precipitation (see monthly precipitation charts in appendix). The track did not have

moisture issues during this period. However, the track continued to exhibit characteristics indicating it was not bonding together, including an explosion phenomena when a horse's hoof impacted the surface. This was evident on both dry and wet tracks as horses continued to frequently run down to the limestone base. An increase in concussion related ailments and injuries began to materialize over this period. Interestingly, horses began to return from races looking as though they had raced on a muddy track when they had raced over a fast surface. The surface was not bonding properly!

The seasonal increase in precipitation occurring in the month of May wreaked havoc with our racing surface. Precipitation forced cancellations on May 7, 8 and 16th. These cancellations occurred without winter weather being a factor. The cancellations of May 7th and 8th occurred with mid 70 temperatures and the May 16th cancellation occurred on a beautiful sun filled evening with the temperature at post time being 76 degrees. The May 16 cancellation occurred on Preakness Day, one of the biggest racing days of the racing calendar.

The pictures below are photographical evidence with narrative captions of the race track's inability to handle precipitation.

Hoof prints on outer portion of track clearly demonstrating track's inability to handle moisture and maintain texture.

The photos below were taken May 8th at approximately 5:00pm. The rain stopped at 6am on the morning of May 6th. These photos were taken approximately 59 hours after the rain had ceased.

"Milkshake effect" – visual representation of term we've created for our racing surface in this condition.

Photo taken on the afternoon of May 8th showing the area of the race track where the "milkshake effect" has occurred.

When the track is in the condition depicted in these photos it is a very dangerous situation for horse and rider. Unfortunately, the drying time for a track in this condition is substantial and usually results in multiple cancellations.

The cancellation that occurred on May 16, Preakness Day, was the result of similar track conditions although not as prevalent as shown in these photos.

It was during a conversation and walk of the race track with Penn National management on May 16th that, for the first time, they acknowledged a major track problem.

After the problems of May 16th , Penn National began to apply a sand product with very coarse characteristics. The sand closely resembled beach sand. Upon inspection of the sand, a sample was sent to our track consultant for comment. The email detailing Mr. Richardson's remarks is in the appendix.

The photo below shows in great detail the characteristics Mr. Richardson describes in his email. The following two photos were taken after a heavy rain pelted the inside running lanes of a sealed/floated race track, bringing the impurities of the sand to the surface. The impurities shown make it very easy to understand why the surface has concussion absorption deficiencies and becomes very hard when floated or sealed.

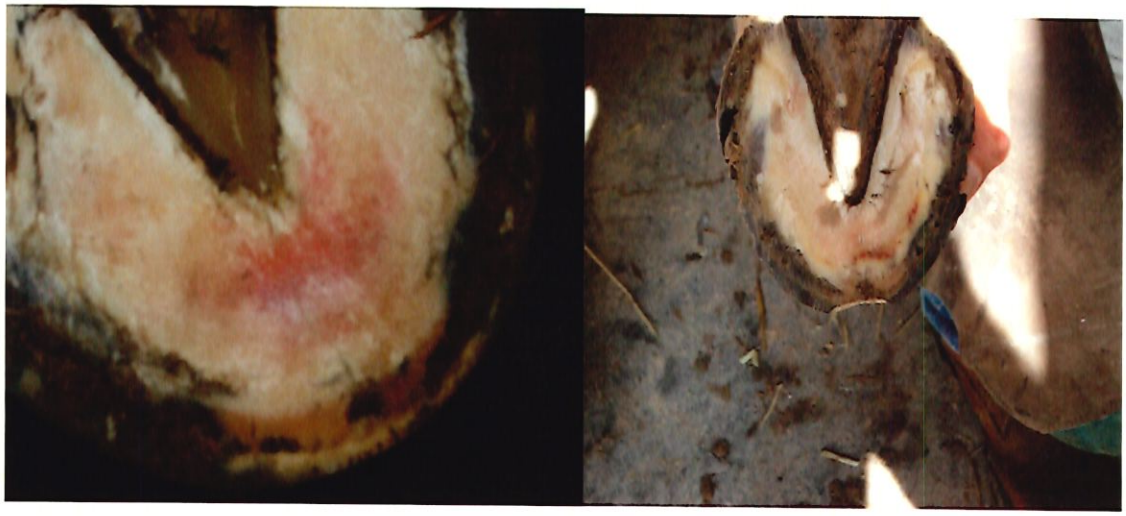
Photos taken the morning of June 9, 2009.

Photo showing approximately 25 feet of sealed surface with impurities.

The impurities shown in these photos should not be present in a race track surface at any time. It is very unkind to horses and can inflict a substantial amount of damage to the eyes when racing. Also, it cannot be pleasant for jockeys in the rear of a field who are being pelted with these impurities.

The addition of the beach like sand has solved our precipitation issues. However, while rain no longer creates cancellation issues, the poor material has created an unkind racing surface that has drastically impacted the health of our horses. The sand has very little concussion absorption properties. It becomes very hard and unkind to horses when floated and extremely hard when sealed. It has created a track that is what horsemen term as "dead", providing no bounce to horses as they race and train over it.

We have seen a considerable spike in concussion related injuries and ailments since the addition of the coarse sand. These injuries include foot bruises, quarter cracks, bone fractures and chips. We have experienced mature horses with over 20 career races becoming shin sore. All of these problems are concussion related.



Photographic examples of foot bruises that have become the norm rather than the exception at Penn National.

The horsemen at Penn National are once again asking the assistance of the PA SHRC to intervene and force Hollywood Casino at Penn National to engage the proper professionals and utililize quality materials to care for and maintain the racing surface at Penn National. Contrary to HCPNRC's opinion conveyed in Mr. Luderitz's letter, the photos included in this pictorial clearly demonstrate HCPNRC does not currently have the knowledge and experience to consistently maintain a safe racing surface. The results speak for themselves and are unacceptable to the horsemen of Penn National and our horses.

Backside

Pictorial

The following pictures are a pictorial representation of the backside conditions at Penn National Race Course the weekend of June 13 and 14th. In Mr. Luderitz's letter dated June 10 to Commissioner Hamm, he speaks proudly of the 37 years of ownership under Penn National Gaming and the corporate leadership and dedication to racing and the facilities. He extends an invitation to tour the backstretch and racing facilities to see the many changes set forth in a short period of time. If you would have attended the backside this past weekend you would have experienced the following:

The property to the right of the golf bag is the responsibility of a private entity, to the left is the responsibility of HCPNRC. The golf bag, with clubs, measures 4 feet in height. The receiving barn is in the background.

The fences pictured are over 5 feet in height.

Weed filled unused winners circle directly outside casino exit to track apron.

Trackside grass and weeds across from PA SHRC office and racing office.

Horse paths used to access the race track that have not been properly graded and filled in many months and in some cases, years.

The above photos depict dangerous horse paths that are used to access the race track. The track side horse path pictured at the top is a major thoroughfare.

The conditions present on the backside are the result of an insufficient budget allocation to employ an adequate number of workers to properly do the job. The backside employees work very hard on a daily basis. It is humanly impossible for all necessary task to be satisfactorily completed due to under staffing.

Appendix

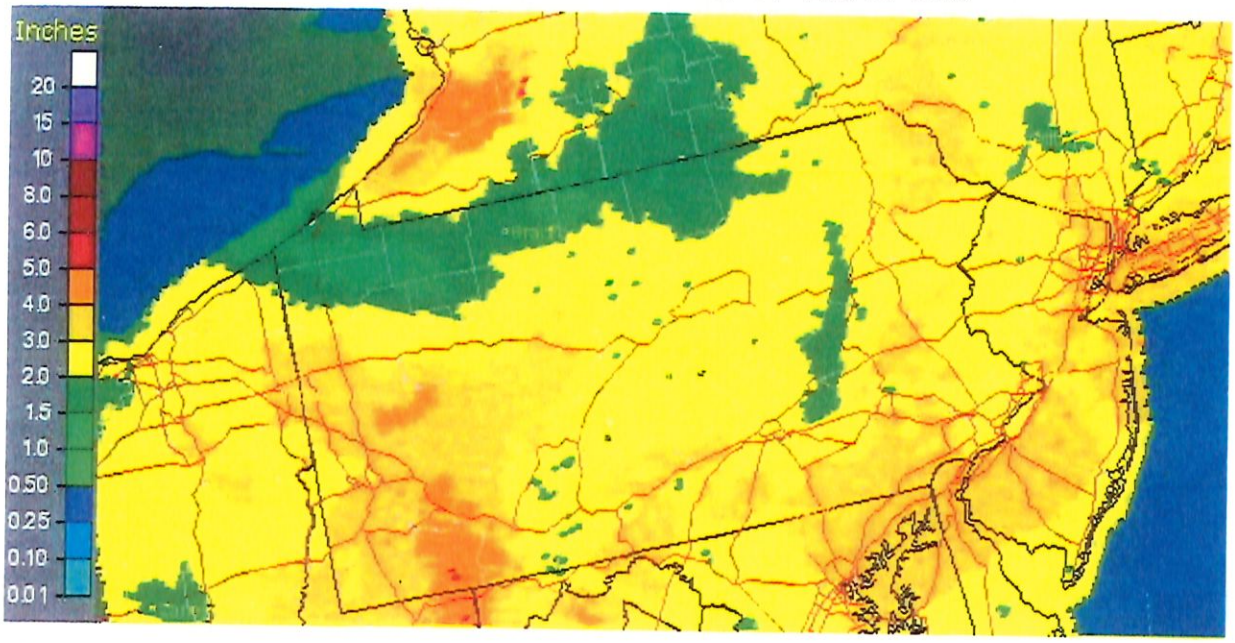
1. Precipitation Maps

2 – 5. Blacksmith testimonials

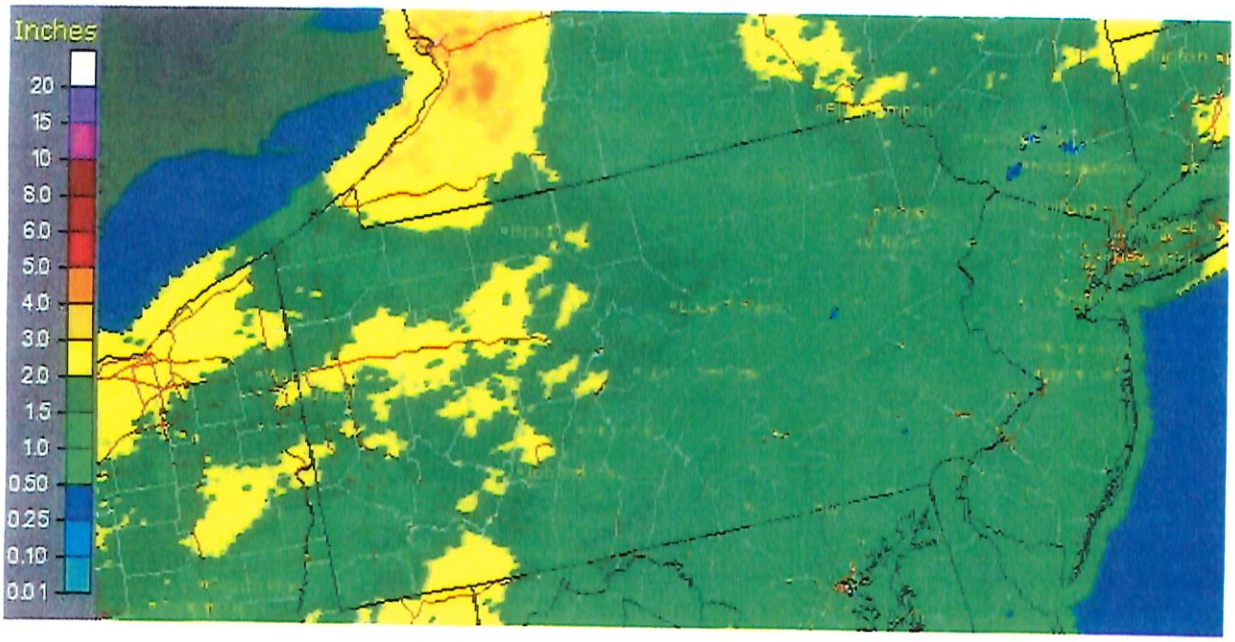
6. Veterinarian testimonial

7 - 8. Jamie Richardson track recommendations

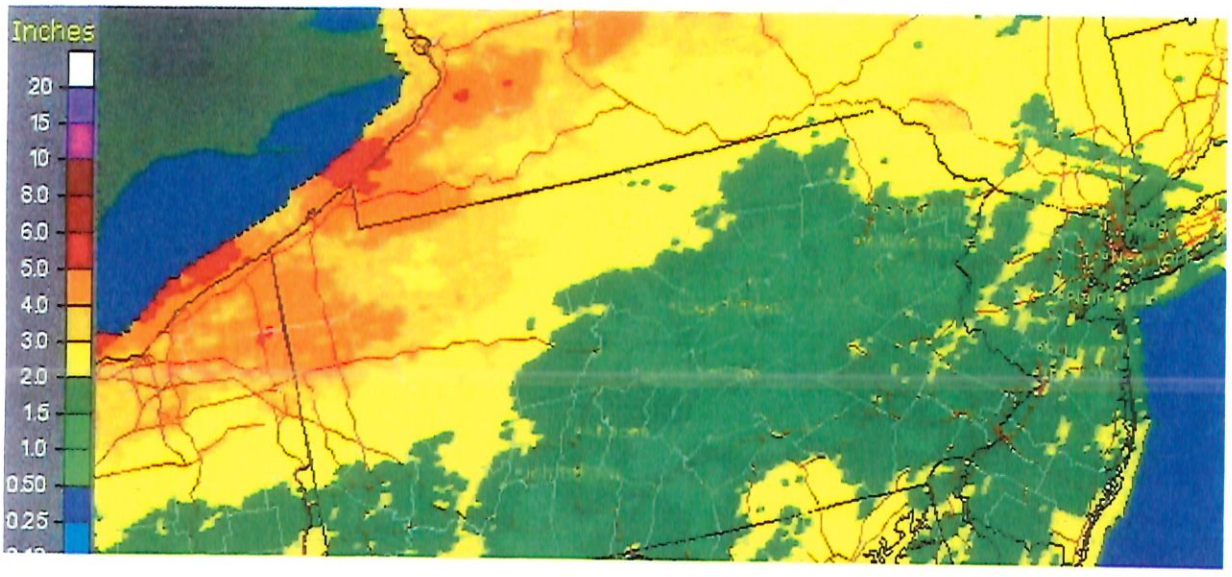
Pennsylvania: January, 2009 Monthly Observed Precipitation
Valid at 2/1/2009 1200 UTC- Created 2/1/09 22:41 UTC



Pennsylvania: February, 2009 Monthly Observed Precipitation
Valid at 3/1/2009 1200 UTC- Created 3/4/09 18:05 UTC



Pennsylvania: March, 2009 Monthly Observed Precipitation
Valid at 4/1/2009 1200 UTC- Created 4/2/09 13:55 UTC



June 12, 2009

To Whom It May Concern:

As a licensed blacksmith practicing on the backside at Penn National Race Course for the last eighteen years, I can unequivocally state that the foot injuries and hoof problems I have experienced have increased dramatically in the past four months. The frequency of injuries due to the concussion experienced by horses training and racing over an extremely hard unforgiving track surface is the highest in my eighteen year career at Penn National. The injuries and problems experienced range from severe foot bruises, quarter cracks, dislodging or displacement of shoes, and general excessive hoof wear. These issues are all concussion related problems.

Respectfully,

Dave Minnich
Licensed Farrier

6/12/09

NOTARIAL SEAL
KELLY J. SMITH, NOTARY PUBLIC
EAST HANOVER TWP., DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 6, 2013

June 12, 2009

To Whom It May Concern:

As a licensed blacksmith practicing on the backside at Penn National Race Course for the last thirty two years, I can unequivocally state that the foot injuries and hoof problems I have experienced have increased dramatically in the past four months. The frequency of injuries due to the concussion experienced by horses training and racing over an extremely hard unforgiving track surface is the highest in my thirty two year career at Penn National. The injuries and problems experienced range from severe foot bruises, quarter cracks, dislodging or displacement of shoes, and general excessive hoof wear. These issues are all concussion related problems.

Respectfully,

Frank Beam
Licensed Farrier

Clay Franklin Beam

6/12/09

Kelly J. Smith

NOTARIAL SEAL
KELLY J. SMITH, NOTARY PUBLIC
EAST HANOVER TWP., DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 6, 2013

June 12, 2009

To Whom It May Concern:

As a licensed blacksmith practicing on the backside at Penn National Race Course for the last thirty years, I can unequivocally state that the foot injuries and hoof problems I have experienced have increased dramatically in the past four months. The frequency of injuries due to the concussion experienced by horses training and racing over an extremely hard unforgiving track surface is the highest in my thirty year career at Penn National. The injuries and problems experienced range from severe foot bruises, quarter cracks, dislodging or displacement of shoes, and general excessive hoof wear. These issues are all concussion related problems.

Respectfully,

Joe Prough
Licensed Farrier

Kelly J. Smith
6/13/09

NOTARIAL SEAL
KELLY J. SMITH, NOTARY PUBLIC
EAST HANOVER TWP., DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 6, 2013

June 12, 2009

To Whom It May Concern:

As a licensed blacksmith practicing on the backside at Penn National Race Course for the last twenty five years, I can unequivocally state that the foot injuries and hoof problems I have experienced have increased dramatically in the past four months. The frequency of injuries due to the concussion experienced by horses training and racing over an extremely hard unforgiving track surface is the highest in my twenty five year career at Penn National. The injuries and problems experienced range from severe foot bruises, quarter cracks, dislodging or displacement of shoes, and general excessive hoof wear. These issues are all concussion related problems.

Respectfully,

Dale Arnold

Dale Arnold
Licensed Farrier

6/13/09

Kelly J. Smith

NOTARIAL SEAL
KELLY J. SMITH, NOTARY PUBLIC
EAST HANOVER TWP., DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 6, 2013

Horseshoe Valley Equine Center, LLC.

Renee D. Nodine, M.S., V.M.D.

177 Valley Lane, Annville, PA 17003 Office (717)867-1880

HVEC@paonline.com

To whom it may concern;

I am writing in regards to the recent track condition at Penn National Racetrack. We have all suffered through the cold and freezing conditions at Penn and begrudgingly accept "winter conditions" but spring at Penn has been even worse! We have had cancellations due simply to rain! The track is the hardest it has ever been and the concussive injuries are at the highest numbers I can remember. I am radiographing horses after WORKS for lameness – the post race injuries are usually career ending. I hope that we can work on improving the track surface for the safety of the horses!

Sincerely,

Renee D Nodine VMD

Renee D. Nodine, VMD

6/16/09

Kelly J. Smith

NOTARIAL SEAL
KELLY J. SMITH, NOTARY PUBLIC
EAST HANOVER TWP., DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 6, 2013

YAHOO! MAIL Classic

Penn National racetrack sand

Tuesday, May 26, 2009 5:29 PM

From: "elaine richardson" <bluebirdhillnc@hotmail.com>

To: "Todd Moss" <mossman30@yahoo.com>

To: Todd Mostoller
From: James Richardson
Subject: Sand

Concerning the sand that Penn National Gaming is adding to the racetrack at Penn National, upon close inspection it appears to closely resemble beach sand. The particles vary greatly in both size and color telling me that this material has many impurities. This material is very coarse and lacks the fines that are found in a good washed mason sand. As we discussed a washed mason sand is a better choice because it is much more consistent in it's texture and composition. The material they are using would not have the packing and binding qualities that are necessary for racetrack use, and are what you need to improve the track at Penn National. I intend to test the material in question within the next week and will let you know what the results are, but after talking with some people within the industry I can not find anyone who would use this type of material, and they're reasons are the same as I have stated (variation in particle size and composition, and lack of fines to aid in packing and binding). Please feel free to contact me if you have any more questions.

Thank you,
James Richardson

Hotmail® has a new way to see what's up with your friends. Check it out.

Todd,

Here is a list of areas that I feel need to be addressed on Penn National's racetrack.

Cushion: The cushion that was put on the track following the rebuild last fall has too much silt and clay. I recommended Penn Gaming add washed mason sand. I said to start with 2000 tons. They put on 1000 tons and the horseman reported the track was better. I believe much more washed mason sand needs to be added. An exact amount could be determined by doing a depth chart of the existing cushion. The depth chart would tell you how much sand to add in order to obtain a desired depth of 3 1/2" on the inside 25'-30', and 4 1/2" to 5" at the crown and outside. You can use 4 1/4" for an average across the width of the track. Also the amount of sand will depend upon when the track reacts well in various weather conditions. It could be necessary to take some of the existing cushion off when adding the new sand. Penn Gaming is now adding very coarse sand that appears to resemble beach sand. This sand will not give the desired results that washed mason sand would. The particles are very large and lack the fines of washed mason sand. It is my understanding they have added more of the cushion that was put on the track following the rebuild. We both know this cushion does not react well in wet weather and also becomes very hard when sealed. Washed mason sand would help with both of these problems. It would cut the silt and clay content, resulting in the cushion not becoming so greasy when wet and helping the track dry out. Washed mason will not become nearly as hard when rolled so that the track will not be too hard for the horses training.

Harrows: The Harrows now in use are very heavy and aggressive. When set to cut a specific depth they will cut down that deep regardless. If there is insufficient cushion these harrows will cut into the base. A field type harrow would work better. It is my opinion that the harrows now in use are a major part of the problems of the past. The base was worn badly by the harrows and the cushion was very coarse and grainy. This was caused by the base mixing with the cushion.

Grading: The grading of the racetrack is another issue that concerns me. Based on my own observations and talking with people that gallop over the track, it seems that the tracks grade is very inconsistent. The cushion depth in the turns and near the mouth of the 6 furlong chute are deeper and the straightaways are much lighter in cushion.

There are many other aspects of track maintenance that could be improved. One example is that currently water is never put on during the am harrow break. This causes the track to become dry and cuppy by the end of training, especially during the hot summer months. Another example is too much salt is used during the winter which contributes to the slow drying of the track. These are some of the more pertinent issues concerning the track.

Please feel free to contact me if you need any further assistance.

Thank you,

JamieRichardson